



[4910-13]

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **14 CFR Part 71**

**[Docket No. FAA-2011-1457; Airspace Docket No. 11-ASO-47]**

**Revocation of Class D Airspace; Andalusia, AL; and  
Amendment of Class E Airspace; Fort Rucker, AL**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** This action removes Class D Airspace at Andalusia, AL, as the Air Traffic Control Tower at South Alabama Regional Airport at Bill Benton Field has closed, and amends Class E Airspace at Fort Rucker, AL, by recognizing the airport's name change to South Alabama Regional Airport at Bill Benton Field. This action also updates the geographic coordinates of the three listed Class E airports. This action enhances the safety and management of Instrument Flight Rules (IFR) operations at the airport.

**DATES:** Effective 0901 UTC, September 20, 2012. The Director of the Federal Register approves this incorporation by reference action under title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

**FOR FURTHER INFORMATION CONTACT:** John Fornito, Operations Support Group, Eastern Service Center, Federal Aviation Administration, P. O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305-6364.

**SUPPLEMENTARY INFORMATION:**

## History

On April 10, 2012, the FAA published in the **Federal Register** a notice of proposed rulemaking (NPRM) to remove Class D airspace at South Alabama Regional Airport at Bill Benton Field (formerly Andalusia-Opp Airport), Andalusia, AL, due to the closing of the air traffic control tower; amend Class E airspace at Fort Rucker, AL, by changing the airport name formerly known as Andalusia-Opp Airport; and adjust the geographic coordinates of the above airports listed in the Class (77 FR 21510) Docket No. FAA-2011-1457.

Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received. Class D and Class E airspace designations are published in paragraph 6002, 6004, and 6005 respectively, of FAA Order 7400.9V dated August 9, 2011, and effective September 15, 2011, which is incorporated by reference in 14 CFR Part 71.1. The Class D and E airspace designations listed in this document will be published subsequently in the Order. Except for a few editorial changes, this rule is the same as published in the NPRM of April 10, 2012.

## The Rule

This amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 removes Class D surface airspace at South Alabama Regional Airport at Bill Benton Field (formerly Andalusia-Opp Airport), Andalusia, AL, as the air traffic control tower has closed. The Class E airspace area extending upward from 700 feet above the surface at Fort Rucker, AL, is amended by recognizing the airport's name change from Andalusia-Opp Airport to South Alabama Regional Airport at Bill Benton Field. This action also updates the geographic

coordinates of the above airport; Cairns AAF, Ft. Rucker, AL; and Florala Municipal, AL, to be in concert with the FAA's aeronautical database.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current, is non-controversial and unlikely to result in adverse or negative comments. It, therefore, (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority.

This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it removes controlled airspace at Andalusia, AL, and amends controlled airspace at Fort Rucker, AL.

## **Environmental Review**

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1E, "Environmental Impacts: Policies and Procedures," paragraph 311a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment

**Lists of Subjects in 14 CFR Part 71:**

Airspace, Incorporation by reference, Navigation (Air).

**Adoption of the Amendment:**

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR Part 71 as follows:

**PART 71 --DESIGNATION OF CLASS A, B, C, D AND E AIRSPACE AREAS;  
AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS**

1. The authority citation for Part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

**§71.1 [Amended]**

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9V, Airspace Designations and Reporting Points, dated August 9, 2011, effective September 15, 2011, is amended as follows:

Paragraph 5000 Class D Airspace

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**ASO AL D Andalusia, AL [Removed]**

Paragraph 6005 Class E Airspace Areas Extending Upward from 700 feet or  
More Above the Surface of the Earth.

\* \* \* \* \*

**ASO AL E5 Fort Rucker, AL [Amended]**

Fort Rucker, Cairns AAF, AL

(lat. 31°16'33"N., long. 85°42'48"W.)

Andalusia, South Alabama Regional Airport at Bill Benton Field, AL

(lat. 31°18'30"N., long. 86°23'32"W.)

Floralia Municipal Airport, AL

(lat. 31°02'33"N., long. 86°18'42"W.)

That airspace extending upward from 700 feet or more above the surface within the area bounded by a line beginning at lat. 31°38'01"N., long. 86°23'30"W.; to lat. 31°45'01"N., long. 85°38'00"W.; to lat. 31°17'01"N., long. 85°26'00"W.; thence to lat. 31°04'01"N., long. 85°52'00"W.; to lat. 31°03'02"N., long. 86°11'04"W.; to and clockwise along the arc of a 6.5-mile radius circle of Floralia Municipal Airport to lat. 31°02'14"N., long. 86°26'10"W.; thence to the point of beginning, and within a 7-mile radius of South Alabama Regional Airport at Bill Benton Field.

Issued in College Park, Georgia, on **June 21, 2012**

**GERALD E. LYNCH**

**Acting Manager, Operations Support Group**

**Eastern Service Center, Air Traffic Organization**

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